

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

MEKESHIA HAYES

PLAINTIFF

V.

CIVIL ACTION NO.: 2:20-cv-118-TBM-MTP

JONES COUNTY, MISSISSIPPI, *et al.*

DEFENDANTS

**PLAINTIFF MEKESHIA HAYES' RESPONSE IN OPPOSITION TO
DEFENDANT JAKE DRISKELL'S MOTION FOR JUDGMENT ON THE PLEADINGS**

COMES NOW, the Plaintiff, Mekeshia Hayes, by and through counsel of record, and files this her Response in Opposition to Officer Jake Driskell's Motion for Judgment on the Pleadings, and in support thereof would show unto the Court the following:

1. On the night of February 13, 2020, six officers, led by Officer Drake Driskell, from the Jones County Sheriff's Office, without warning or knocking, entered into the home of Plaintiff, Mekeshia Hayes (Hayes).
2. Hayes asked for a warrant at the time of entry, but none was provided and the officers searched the home for drugs.
3. No drugs were found on the premises, yet, Plaintiff and her boyfriend, Desmond Hicks, were arrested and taken to the Jones County Detention Center.
4. On February 14, 2020, Hayes asked for a bond and when she would be sent to Court to see a Judge. No bond or Court date was given to her.
5. Desmond Hicks was taken before a Judge on February 14, 2020 and was given the search warrant at the time.
6. On February 15, 2020 when she was informed that the charges against her had been dismissed.

7. Upon returning to her home, Plaintiff found her home destroyed from the search which included damage to her bedroom, dressers, shelves, and laundry room.

8. Additionally, Hayes mugshot was posted on *The Laurel Leader Call* with a “Possession of Methamphetamine-Warrant” charge.

9. Hayes then brought ten charges and tort claims against the named Defendants in this case:

- a. Deprivation of Federal Rights under 42 U.S.C. § 1983;
- b. False Arrest under 42 U.S.C. § 1983;
- c. Excessive Force under 42 U.S.C. § 1983;
- d. Unreasonable Search and Seizure under 42 U.S.C. § 1983;
- e. Malicious Abuse of Process under 42 U.S.C. § 1983;
- f. Denial of Constitutional Right to Know the Nature of the Charges Against Her under 42 U.S.C. § 1983;
- g. Municipal Liability under 42 U.S.C. § 1983;
- h. Gross Negligence: Misconduct
- i. Gross Negligence: Failure to Act
- j. Civil Conspiracy
- k. Tort Claims
 - i. False Imprisonment,
 - ii. Assault,
 - iii. Battery,
 - iv. Trespass,
 - v. Intentional Infliction of Emotional Distress,

- vi. Libel, and
- vii. Abuse of Process

10. For the reasons set forth in Hayes' separate Brief, the entry of a judgment on the pleadings is inappropriate at this time as the facts of the complaint state a relief that are plausible on its face. Accordingly, the same must be denied.

Respectfully submitted, this the 5th day of March, 2021.

PLAINTIFF

By: /s/Christian Medina.
Christian Medina

Of counsel:

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CERTIFICATE OF SERVICE

I, Christian Medina, do hereby certify that I have this date electronically filed the foregoing documents with the clerk of the Court using the ECF system, which sent notification of such filing to all counsel of record.

THIS the 5th day of March 2021.

/s/Christian Medina.
Christian Medina